

Remarks

Applicant thanks the Examiner for the allowance of claims 23-33, 35-40, 63-72 and 74-79.

Claims 1, 3, 5, 6, 9, 13, 14, 16-18, 22, 41, 42, 44, 46, 47, 53-55, 57 and 62 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being allegedly unpatentable over claims 1-48 of copending U.S. patent application no. 09/978,401. This is the only remaining substantive rejection in the instant office action.

Applicant submits herewith a terminal disclaimer to obviate the above rejection. Applicant respectfully requests withdrawal of this rejections.

The Office objects to claims 2, 4, 7, 8, 10-12, 19-21, 43-45, 48-52 and 58-61 for being allegedly dependent upon a rejected base claim. The Office indicates that the claims would be allowable if they were rewritten in independent form. Applicant's submission of a terminal disclaimer to overcome the rejection of the base claim renders this objection moot. Because the base claims are allowable, it is submitted that the noted claims are in allowable condition. Accordingly, withdrawal of the objections to the noted claims is respectfully requested.

Conclusion

In view of the foregoing, favorable reconsideration and early allowance of all pending claims are earnestly solicited.

Respectfully submitted,

THOMPSON COBURN LLP

By:



Kenneth Solomon
Reg. No. 31,427
One US Bank Plaza
St. Louis, Missouri 63101
(314) 552-6000
(314) 552-7000-FAX